

FILED

MAY 29 2014
N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

SUSAN M. BROERS, R.N.
License # 26NO10605400

TO PRACTICE NURSING IN
THE STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER OF
DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board had reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Susan M. Broers, R.N. ("Respondent") is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about April 30, 2013, Respondent completed and submitted an online biennial license renewal for the period of June 1, 2011 through May 31, 2013. The online renewal contain a question which asks: "Will you have completed the required continuing education credits by May 31, 2013?" Respondent answered "Yes" to the question and certified that answer to be true by submitting the online application.
3. In an interview with the Enforcement Bureau on October 4, 2013, Respondent stated that she could not produce any copies of her continuing education credits. The Enforcement Bureau did, however, find proof of 6.5 hours of continuing education dated October 14, 2011, in Respondent's employee file.

4. On or about September 19, 2013, Respondent provided the Board with a personal statement and enclosed attachments that were responsive to the Demand.

5. As to Demand item 8, pertaining to continuing education courses, Respondent did not provide any documentation to the Board.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of thirty hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 12:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent failed to demonstrate, to the satisfaction of the Board, completion of the required thirty hours of continuing education for the biennial period of June 1, 2011 through May 31, 2013. Respondent provided no proof of continuing education during that time frame. The Board therefore finds the Respondent in violation of N.J.A.C. 13:37-5.3(b), which the Board deems professional misconduct, punishable pursuant to N.J.S.A. 45:1-21(e). Further, the Board finds Respondent failed to comply with a regulation administered by the Board, which is punishable pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand and two hundred and fifty dollars (\$250) civil penalty was entered on January 7, 2014. Copies were served upon Respondent

via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent timely responded to the Provisional Order of Discipline and maintained that she lost documentation of her continuing education as a result of property loss from a storm. Respondent maintained that she contacted the vendors that she believed she had taken classes with, but they were unable to provide any documentation. Unable to provide any documentation for continuing education completed within the appropriate time frame, Respondent completed 32 hours of continuing education to cure the deficiency of the previous biennial cycle and was working towards completing an additional 30 hours to satisfy the requirements of the current biennial cycle.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration. Inasmuch as Respondent cured the deficiency of the June 1 2011 – May 31, 2013 biennial cycle, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to demonstrate that she completed 30 hours of continuing education during the June 1, 2011- May 31, 2013 biennial period warrants imposition of a two hundred dollar (\$200) civil penalty and

a reprimand for certifying on her renewal that she had completed the required continuing education when she is unable to demonstrate that she did.

ACCORDINGLY, IT IS on this 29th day of May, 2014,

ORDERED that:

1. Respondent is reprimanded for violation of N.J.S.A. 45:1-21(b).
2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed upon Respondent for her violation of N.J.S.A. 45:1-21(e) and (h). Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Herbert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: _____

Patricia Murphy PhD, APRN
Board President